

Legislative Assembly,
SESSION—1884.

(Continued from page 7.)

TENTH DAY.

WEDNESDAY, May 7th 1884.

PETITIONS.

Mr. KAMAKOLE presented a petition from Makawao bearing 126 signatures praying that this Assembly will repeal Chapter 57 of the Penal Code, known as the law "to mitigate." Referred to Judiciary Committee.

REPORT OF SPECIAL COMMITTEE.

Mr. KALUA reported that the Committee appointed to draft and present a reply to the King's speech had waited upon His Majesty and presented the same. The Committee was received most graciously by His Majesty.

The President pointed out that the reply should have been signed by the President of the Assembly before presenting it to His Majesty. Report adopted.

The Minister of Foreign Affairs asked for further indulgence of the Assembly with regard to a report he promised to present to the Assembly the early part of this week. In the report of the Minister of Foreign Relations there is a certain lot of correspondence that will be of interest to the Assembly, and the public generally. It relates to the S.S. Madras matter, immigration, the Pacific Mail Company, and other interesting topics. There were already 140 pps. in print. The English version was ready but he and his colleagues did not wish to present their reports before they were ready in both languages. Three printing establishments were engaged in getting up the reports of which he had charge. Mr. Gibson then read the following statement in reply to a resolution introduced by the member for Lihue.

HON. GODFREY RHODES, PRESIDENT LEGISLATIVE ASSEMBLY.

MR. PRESIDENT:—

In reply to the resolution of Hon. S. B. Dole in respect to the policy of the Government on the subject of immigration, I deem it proper to supplement the statements on the subject in my Foreign Office report by further remarks which will express more fully the joint views of my colleagues with myself on this important question.

The policy of the Government in regard to Portuguese immigration will be best explained by a reference to its past action in this matter. This immigration has been carried out during the late biennial period to the utmost extent which the means provided by the Legislature of 1882 would permit. As this immigration could not be prosecuted with the ordinary means to be derived from revenue, its successful accomplishment was dependent upon the use of the Government credit as provided by law. It was hoped that the influential portion of the community occupied with industrial enterprises would come to the assistance of the Government in order to promote immigration, by purchases of the bonds provided for its prosecution,—but no sales were made in the quarter expected; and it was only in consequence of favorable arrangements made with an individual purchaser that the Government has been able to carry out its views, and continue the work of introducing into the country, Portuguese laborers and their families.

During the preceding two years, there have been introduced from the Azores and from Madeira five thousand six hundred and forty-three men, women and children, at a cost to the public treasury of three hundred and fifty-eight thousand, and seven hundred and seventy-seven dollars, (\$58,677).—or at average cost per capita of about sixty-three dollars. Now when the healthfulness, thrift, productiveness and good order of these Portuguese islanders are considered no one will doubt but that the State has made a good investment with the money borrowed for this immigration. More of these people may be shortly expected. By the fine Atlantic steamer City of Paris a further number of about 1,200 Portuguese islanders are expected to arrive here about the end of the present month or early in June. And in view of the satisfactory character of this provisional arrangement have been made subject to the approval of this Assembly for the introduction of a similar number every three months; so long as such a course shall appear to be warranted by the condition of the country in respect to settlement, and by the demand for labor.

With regard to the Immigration of other nationalities the chief anxiety of the Government is to substitute for the voluntary and unwelcome influx of Chinese male laborers, a regulated immigration, conducted under Government supervision, includ-

ing as large proportion of females as may be found practicable, and to be derived in great part, or altogether from countries other than China. A negotiation is in progress with the Chinese Government for a convention which will surrender to this Government the entire control of immigration between the two countries. The Chinese Ambassador at Washington takes a favorable view of our proposals; and I expect a despatch in relation to the progress of the negotiations from His Majesty's Envoy, Mr. Carter, by the in-coming mail. Meanwhile, as the Assembly is aware, an embargo by order of His Majesty in Cabinet Council has been placed on the introduction of Chinese male laborers in numbers exceeding twenty-five in any one vessel.

It is to Japan that the Government is disposed to look for an immigration of families which will supersede the immigration of men alone from China. The representations made by His Excellency Mr. Kapena, His Majesty's late Special Envoy to Japan, were received with favor by the Government of the Empire, but any definite convention has to be postponed until certain treaties between Japan and various foreign powers had been revised. The visit to the Japanese Court of Col. Iankea, His Majesty's Special Envoy now abroad, has been timed with the view of completing the negotiations initiated by Mr. Kapena, and I hope that the next mail will bring favorable news upon the subject. The importance attached by the Government to this subject has led to my being authorized to instruct Colonel Iankea to present proposals of a very liberal nature, the character of which will, I believe, preclude the necessity of awaiting the final revision of the treaties, should the Japanese Government be disposed to accede to them.

Col. Iankea has, in his official visit to India, been successful in opening a way for procuring a desirable number of laborers should it be deemed desirable to promote such an immigration. India offers an inexhaustible source of healthy and prolific people, and we may draw recruits from that great source by compliance with certain provisions required by the humane and enlightened Government of India.

With regard to immigration from central and Western Polynesia, the Government is not disposed to favor it in a direct manner, but desires to keep up friendly relations with the people of those islands, by tendering them useful advice and courtesies. If this policy be steadily pursued those who seek labor for this country in Polynesian groups on their own account will find themselves placed in a position of advantage over the subjects of other Governments.

Letters of enquiry have been addressed to the Government from various parts of Europe on the subject of emigration of European laborers to this Archipelago. It has not been deemed desirable to induce European laborers to settle in these islands. Several experiments have been tried which have not proven satisfactory. Thus 612 Norwegian men and women were introduced into the country at a cost to the Government of \$9,183—and 546 German men and women have been introduced at a public cost of \$15,062.50 with so far little assurance of the settlement of these people in this country—who seek in wider domains and under climes more congenial to them, opportunities for the establishment of homesteads. However proposals which have been received for the introduction of laborers and their families from the north of Italy may prove worthy of consideration should the numbers coming from the Portuguese Atlantic Islands fall short of the demands for labor.

The Government has not neglected any opportunity to seek by diplomatic action to open or maintain suitable channels of immigration whether for supply of labor or for the promotion of the re-population of the Kingdom. The measures taken by the Government in this matter are open for the consideration of the Assembly; and Ministers trust in the careful deliberations of Nobles and Representatives for such guidance and provision, as will enable His Majesty's Government to meet the requirements of the nation in respect to immigration. Respectfully submitted,

WALTER M. GIBSON,
Minister Foreign Affairs.

ALHOLANI HALL, May 7, 1884.

Mr. Dole said in connection with this statement he wished to ask who no appropriation for immigration had been inserted in the appropriation bill in order to carry out the proposed measures.

Mr. Gibson stated that His Majesty's Ministers did not deem it proper to hamper the appropriation bill with matters of this kind, but that they

should be left open for future action by this Assembly.

Mr. Aholo moved that the report be received and laid on the table. Carried.

RESOLUTIONS.

Mr. Dole moved that whereas \$575,000 of Hawaiian silver coin had been imported into this Kingdom, and also that a further sum of \$150,000 was received on the 31st of March, and that there was a further sum of \$275,000 to arrive, therefore be it resolved that the Minister of Finance be instructed to collect duties on all silver coin imported in future.

Mr. Dole stated that by the statutes of 1876 a duty of 10 per cent. was payable on all coins imported. This statute went into operation by a proclamation issued in 1880, and was now in operation. This resolution called upon the Minister of Finance to collect duties upon what coin there was still to come. In the Minister's report the statement is definite that it is not Government money. Duties to the amount of \$100,000 are to be given away, and by the adoption of this resolution the country would save \$27,500.

Mr. Neumann had two questions to ask: (1) If the resolution of the Privy Council was at hand, that it be read for the information of the House. (2) Whether silver imported from the United States is dutiable.

Mr. Dole replied that the Reciprocity Treaty allows the importation of bullion free, but no coin whatever.

The Attorney-General asked whether coin imported from the United States pays duty.

Mr. Dole said by the law of 1876 and the proclamation which followed it made unconditional for the Minister of Finance to collect duties on all silver coins unless there were treaty stipulations to the contrary. If the Government had not collected duties on coin from the United States or other countries, all the worse for them. He understood they had collected duties on Mexican dollars and other monies from the United States. It was an extraordinary position for the Representatives to call upon the Ministers to carry out the law. They were giving away large amounts of money that were needed for roads, hospitals, etc. His Majesty had recommended economy and in the reply he had promised to carry out his wishes, he therefore felt that the resolution was in accordance with the general sentiment of the public.

The Attorney-General said he was not called upon to reply, as the resolution called upon his colleague the Minister of Finance (who was absent.) but as the wording of the resolution showed that there was a hidden attempt to attain some other object, it made it incumbent upon him to reply. He differed from the proposition of Mr. Dole. Mexican coins pay duty but coins stricken off in the United States have not to pay duty. The administration had seen fit to pursue a certain financial policy which may or may not have had its faults. Policy might be compared to a General or a physician. If the battle is won, or the patient recovers, the policy is all right. The success of the policy of the Government on this question had not yet been tested. It had been stated by some that it would be detrimental to the country to import our own coin, while others who are more injudicious in their statements, say that it is the direct cause in the fall of sugar; that to it must be attributed the spread of leprosy. He had yet to learn that the importation of any coin had tended to impoverish the country.

Mr. Dole rose to a point of order, which was overruled by the President.

The Attorney-General proceeded. He said while the President had graciously exercised his prerogative in his favor, it was evident he was stepping on the tender corns of the member for Lihue. It would be boyish for him to think that there is one member, or officer, or even a reporter who did not understand the drift of the resolution. There was enough in it for him to advocate its indefinite postponement. It was a question whether it should come up in the naked shape in which it had been presented. He considered the action unexpedient and doubtful. Important matters relating to the welfare of the country should not be waived aside by a simple resolution. It was obvious that it had not been introduced for the good of the country but on a point of politics. If the Minister of Finance was censurable for the importation of this currency there was a way of reaching him and calling him to account before the bar of this House. He therefore hoped that the motion of the Honorable member for Lihue will be indefinitely postponed.

Mr. Aholo seconded the motion.

Mr. Cecil Brown moved that the word "requested" be inserted in the place of "instructed."

Amendment agreed to by Mr. Dole.

Mr. Smith supported the resolution with a few remarks.

Mr. Bishop did not think there was any fault to be found with the introduction of the resolution, at the same time it raises a question on which there should be more time allowed. To simply pass this resolution either ordering or requesting the Minister to do a certain thing, was not according to law and therefore useless. There may be a question as to whether this silver coin was dutiable or not. It had been stated in the Privy Council, by one of the Judges if he remembered rightly, that the word "bullion" should cover all coin from the United States. This coin is Hawaiian and is coined in the United States from the silver mines of the country or French or Mexican money. He had no doubt that the word "bullion" in the Reciprocity Treaty was intended to include all coin manufactured in the United States. If the coin had been imported without a certificate, there was a question whether or not it was dutiable. He moved the resolution be laid on the table.

Mr. Cecil Brown was in favor of the resolution as an expression of the Assembly towards the Minister.

Mr. Gibson said he deemed it proper to say a few words on the side of the Ministry. The King, according to the Constitution orders the coining of the realm. The Assembly of 1881 provided a law to carry out a coining. The Government had entered into negotiations with the Secretary of the Treasury at Washington. He (Mr. Gibson) had correspondence with His Majesty's Envoy at Washington on the subject which he could submit to the Assembly. The money was coined for and by the order of the Hawaiian Government. These silver coins had been consigned to the officers of the Hawaiian Government, and delivered into the Hawaiian Treasury. The Government will not impose a duty on its own importation. The introducer of the resolution had expressed some solicitude about the welfare of the country, and wanted to collect duties in order to build bridges and hospitals. He would inform the honorable member that had it not been for this new coin there would have been no immigration of the 5,000 or more Portuguese that are such a valuable assistance to the country. The Hon. gentleman was very solicitous about coining. "I hold in my hand coins of different stamps. One of these coins was marked 1 Real W. P., which probably stood for Wailuku Plantation; another similar one bearing the impress of the Haiku Plantation, and a third stamped T. H. H., and issued by Thos. H. Hobron." These small copper coins were taken by the poor Kanaka as worth two shillings and a half cents each, yet it would require about one hundred of such coins to make up an intrinsic value equal to the value stamped upon them. Suppose these plantations should fail, which he trusted will never take place, what a loss there would be in such coins issued without any authority of law. The Hawaiian dollar had been received in San Francisco for 95 cents in the dollar, and he had some assurance it would be received for 97½ cents. But what would the coins manufactured by the friends of the gentlemen who have brought forward and sustained this resolution be worth? They would not be worth more than the hundredth part of their denominational value. He hoped the resolution would be indefinitely postponed.

Messrs. Nawahi, Kaulukou and Kalua expressed their respective views on the resolution, the latter moving the previous question.

Mr. Dole said the question had reached a clear stage. Was it, or was it not, Government money? The report of the Minister of Finance says it is not. He did care whose money it was, the question was, are duties payable on it? Who can say these coins are bullion? By Section 517 of the Civil Code, the Minister of Finance had the discretion to remit any duties. He could see no reason for laying the resolution on the table. The public interests would be best suited by passing the resolution.

The ayes and noes were taken on the motion to lay on the table, which resulted in 25 ayes and 9 noes. Laid on the table.

Mr. CLECHORY moved that the House adjourn. Carried.

House adjourned at 4.10 P.M.

ELEVENTH DAY.

THURSDAY, May 8, 1884.

The House met at 1 P.M.

Minutes of previous day's proceedings were read and confirmed.

PETITIONS.

Mr. Kamakole presented a petition from Makawao signed by 146 persons praying that all parents having four or more children be

exempt from personal taxes. Referred to Judiciary Committee.

Also a petition from Honolulu that lepers be allowed to remain in the districts to where they belong and that of the lepers now at Kakaako, none be sent to Molokai. Referred to Sanitary Committee.

Mr. Nakaleka presented a petition from Molokai praying that the pay of deputy sheriffs be increased to \$50 per month. Referred to Committee on Finance.

RESOLUTIONS.

Mr. Dole moved that \$600 be appropriated for building an office for the Governor of Kaula, within the Court House grounds at Lihue. Also that \$300 be appropriated for the purchase of an iron safe for the use of said Governor. Laid on the table to be considered with the appropriation bill.

Mr. Dole read for the first time a bill to amend Section 8, Chapter 79, P.C. relating to the recording of marriages, births and deaths. Passed to second reading.

Mr. Kaulukou read for the first time a bill to re-establish the office of Circuit Judge on the Island of Oahu. Passed to second reading.

Mr. Walker, Auditor-General stated his reasons for not complying with the law calling upon him to make a statement to the Assembly within seven days of its opening, and asked the indulgence of the House for a few days longer.

On the motion of Mr. Cecil Brown, one week longer was granted to the Auditor-General.

Mr. Frank Brown gave notice of his intention to introduce a bill to amend Sections 38 and 45 of Chapter 43 of the Session Laws of 1882 relating to tax assessors and tax appeals.

Mr. Kanealii read for the first time a bill to amend Section 12, Chapter 86 of the Penal Code relating to inspectors of elections. Passed to second reading.

Mr. Palohau read for the first time a bill relating to the delivery of tax receipts by employers to employees, in cases where the former have paid the taxes. Passed to second reading.

Mr. Aholo gave notice of his intention to introduce a bill to amend Section 58 Chapter 43 of the Session Laws of 1882 relating to the collection of taxes and penalties in cases of non-payment.

Mr. Kauwila gave notice of a bill to amend Section 168 of the Civil Code, relating to the appointment of Road Supervisors.

Mr. Amara gave notice of a bill to amend Section 498 of the Civil Code relating to the dividing of the islands into districts.

Mr. Amara moved that in order to facilitate the business of the House in all matters referred to Committees, the Chairmen of said Committees be authorized to call all persons before them who can assist them in their investigations. Carried.

Mr. Kamakole gave notice of a bill to provide that a portion of the Government lands be given to the poor and needy.

Mr. Gardner moved that \$800 be appropriated for a wharf at Nui, Hana, Maui. Referred to Committee on Public Lands, etc.

Also that \$2,000 be appropriated for a hospital in the district of Hana, Maui. Referred to Sanitary Committee.

Mr. Nahinu moved that \$800 be appropriated for a hospital in South Kona. Referred to Sanitary Committee.

Mr. Philipo moved that whereas it was reported that 60 of the patients now in the hospital at Kakaako were shortly to be removed to Molokai, be resolved that the President of the Board of Health be requested to defer action in this matter until the Committee had reported back the petitions and resolutions on the subject of leprosy.

Mr. Widemann said this resolution bore the semblance of this Assembly interfering with the executive.

Mr. Aholo remarked that if this was wanted the Executive to do its duty, the House had better attend to its own affairs.

The motion was lost by a vote of 23 to 13.

Mr. Aholo moved the

ORDER OF THE DAY.

Consideration of Mr. Kaulukou's resolution relating to the Constitution, and the confinement of lepers at Kakaako and Molokai.

Mr. Godfrey Brown was of opinion that the resolution had died a natural death.

The President explained the rules of the House referring to unfinished business. The motion was finally put to the vote and passed.

Second reading of a bill relating to the erection of fire proof buildings within certain limits in Honolulu. Bill ordered to engross and read a third time on Monday next.

Second reading of a bill to amend Sect. 43 of Chapter 44 of the Session Laws of 1882 relating to the time of expiry of the licensing liquor law.

Mr. Aholo moved that it be referred to a Committee of the Whole and be made special order of the day for to-morrow day. Carried.

Second reading of a bill to provide for registration and identification of male Chinese residing on the Hawaiian Islands. On the motion of Mr. Cecil Brown, the introducer of the bill, it was ordered to be printed.

At 3 P.M. a motion to adjourn until to-morrow (Friday) was carried.